



MEMORANDUM

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
Miami-Dade County, Florida
(305) 375-5126
(305) 375-2484 FAX
www.miami-dadeclerk.com

Agenda Item No. 14(B)4

TO: Dianne Davis, Agenda Coordinator
County Manager's Office-

DATE: **September 23, 2003**

FROM: Kay M. Sullivan, Director
Clerk of the Board

SUBJECT: Agenda Item for the
BCC 9/23/2003 Meeting Agenda

Please place the following Application for Annexation/Change of Municipal Boundaries item on the Board of County Commissioners' agenda of September 23, 2003 under Clerk of the Board's Reports:

Village of Virginia Gardens – Village of Virginia Gardens Council Resolution No. 734

Attachment
KMS/js



MEMORANDUM

Harvey Ruvin
Clerk of the Circuit and County Courts
Clerk of the Board of County Commissioners
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(305) 375-5126
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TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D. DATE: September 23, 2003
and Members, Board of County Commissioners

Kay M. Sullivan

FROM: Kay M. Sullivan, Director
Clerk of the Board

SUBJECT: Proposed Boundary Change
to the Village of Virginia
Gardens

Pursuant to the provisions of Chapter 20-5 of the Code of Miami-Dade County, the Clerk of the Board has received a petition requesting a boundary change to the Village of Virginia Gardens. (See Exhibit A in the application for the legal description).

Following consideration by the County Commission, the Code provides that this request be forwarded to the Planning Advisory Board for review, study and recommendation.

Attachment
KMS/js



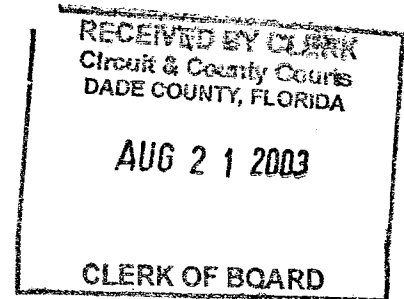
VILLAGE OF VIRGINIA GARDENS

6498 N.W. 38th TERRACE • VIRGINIA GARDENS, FLORIDA 33166

TELEPHONE: (305) 871-6104

August 11, 2003

Honorable Harvey Ruvin
Clerk of the Miami-Dade Board of the County Commissioners
111 N.W. 1st Street, Suite 17-202
Miami, Florida 33130



Dear Mr. Ruvin:

Please accept this correspondence and the enclosed documents as formal submission of a request to change the boundaries of the Village of Virginia Gardens. This request is made pursuant to Section 20-3, et seq. of the Miami-Dade County Code, which sets forth the procedures to be followed when the proposed boundary change is initiated by the governing body of a municipality.

This submission includes the following documents:

1. Three (3) certified copies of the Resolution by the Village of Virginia Gardens requesting the proposed boundary change;
2. An accurate legal description of the land area of the proposed boundary change, including a map showing the location of the area involved;
3. A Certificate of the Supervisor of Elections of Miami-Dade County, Florida, certifying that the area of the proposed boundary change contains fewer than 250 residents who are registered electors;
4. A statement setting forth the grounds or reason for the proposed boundary change;
5. Certification by the Village Clerk that notice was sent to all property owners within the annexation area and within 600 feet of the proposed annexation area.
6. Proof of publication of advertised notices; and
7. A detailed report prepared by the Village of Virginia Gardens detailing the information required under Section 20-3(a)—(f).

Additional copies of the application are enclosed for the Office of Management and Budget and the Department of Planning and Zoning.

It is requested that this matter be placed upon the agenda of an ensuing meeting of the Miami-Dade County Commission, as specified in Section 20-5 of the Miami-Dade County Code.

Sincerely,


Mayor Paul Bithorn



VILLAGE OF VIRGINIA GARDENS

6498 N.W. 38th TERRACE • VIRGINIA GARDENS, FLORIDA 33166

TELEPHONE: (305) 871-6104

Certification

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Maritza Fernandez, Village Clerk for the Village of Virginia Gardens, Florida, do hereby certify that notice was sent to all property owners within the proposed annexation area, and those property owners within six hundred (600) feet of the proposed annexation area.

WITNESS MY HAND AND

OFFICIAL SEAL, AT VIRGINIA

GARDENS, MIAMI-DADE COUNTY,

FLORIDA, ON THIS 11TH DAY OF

AUGUST 2003.

Maritza Fernandez

Village Clerk

Village of Virginia Gardens

RESOLUTION NO. 734

A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES OF THE VILLAGE OF VIRGINIA GARDENS IN ORDER TO ANNEX PROPERTY BEARING THE LEGAL DESCRIPTION CONTAINED IN EXHIBIT "A"; AUTHORIZING THE MAYOR AND THE VILLAGE CLERK AND OTHER PROPER ASSISTANTS TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING THE VILLAGE CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO THE CLERK OF THE COUNTY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 5.04 of the Miami-Dade County Home Rule Charter and section 20-3 of the Code of Miami-Dade County, Florida, the Village of Virginia Gardens may initiate, by Resolution, a proposed boundary change where there are 250 or fewer registered electors within the proposed annexation area and where the area is less than 50% developed residential; and

WHEREAS, the Village of Virginia Gardens conducted duly noticed and advertised public hearings coinciding with the reading of this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, THAT:

Section 1: The Mayor and the Village Council of the Village of Virginia Gardens hereby approve the changes, extension and enlargement of the municipal boundaries of the Village of Virginia Gardens, Florida, and to effect such change, by the annexation to

RESOLUTION NO. 734

the Village of Virginia Gardens of property legally described in "A" and shown on an accompanying map Exhibit "B" attached hereto and made a part hereof.

Section 2: The Village Council of the Village of Virginia Gardens, Florida hereby requests that the Board of County Commissioners of Miami-Dade County, Florida adopt an ordinance changing, extending and enlarging the Village's municipal boundaries as approved by the Village and as described in the legal description set forth in Exhibit "A".

Section 3: The Mayor and the Village Clerk and all such other Village officials and officers are hereby authorized and directed to take all action and to execute such certificates, documents and agreements as may be deemed necessary or desirable in connection with the submission of the request for such boundary change to the Board of County Commissioners of Miami-Dade County, Florida, for approval.

Section 4: The Village Clerk is hereby authorized and directed to transmit three certified copies of the Ordinance, together with proof of compliance of notice procedures to the Clerk of the County Commission, accompanied by the attachments as required by Section 20-3 of the Code of Miami-Dade County, Florida.

Section 5: Repeal of Resolutions in Conflict.

All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

RESOLUTION NO. 734

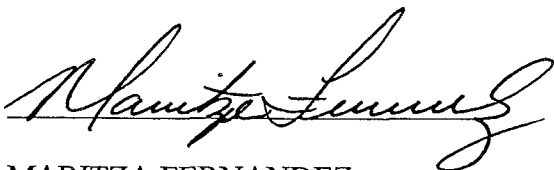
Section 6: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this Resolution shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution.

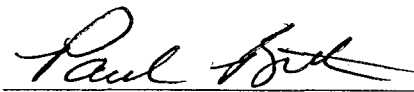
Section 7: Effective Date.

This Resolution shall take effect and be in force from and after its date of passage.

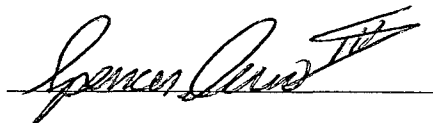
PASSED, and ADOPTED on this 8th day of August, 2003.



MARITZA FERNANDEZ
VILLAGE CLERK



PAUL BITHORN
MAYOR OF VIRGINIA GARDENS

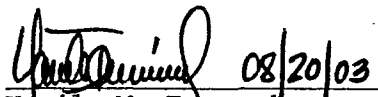


SPENCER DENO IV,
COUNCIL PRESIDENT

Vote of the Council:

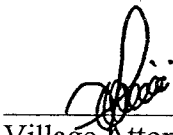
Councilman Deno	<u>YES</u>
Councilman Fojon	<u>YES</u>
Councilman Nelson	<u>YES</u>
Councilman Petterson	<u>YES</u>
Councilwoman Taylor-Martinez	<u>YES</u>

I Certify this to be a
true and correct copy.

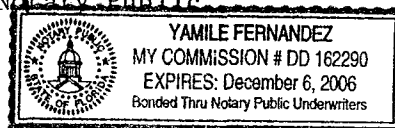
 08/20/03

Yamile M. Fernandez
Notary Public

APPROVED AS TO FORM AND SUFFICIENCY:



Village Attorney, JOSE M. HERRERA, ESQ.



RESOLUTION NO. 734

A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES OF THE VILLAGE OF VIRGINIA GARDENS IN ORDER TO ANNEX PROPERTY BEARING THE LEGAL DESCRIPTION CONTAINED IN EXHIBIT "A"; AUTHORIZING THE MAYOR AND THE VILLAGE CLERK AND OTHER PROPER ASSISTANTS TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING THE VILLAGE CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO THE CLERK OF THE COUNTY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 5.04 of the Miami-Dade County Home Rule Charter and section 20-3 of the Code of Miami-Dade County, Florida, the Village of Virginia Gardens may initiate, by Resolution, a proposed boundary change where there are 250 or fewer registered electors within the proposed annexation area and where the area is less than 50% developed residential; and

WHEREAS, the Village of Virginia Gardens conducted duly noticed and advertised public hearings coinciding with the reading of this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, THAT:

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Section 3: The Mayor and the Village Clerk and all such other Village officials and officers are hereby authorized and directed to take all action and to execute such certificates, documents and agreements as may be deemed necessary or desirable in connection with the submission of the request for such boundary change to the Board of County Commissioners of Miami-Dade County, Florida, for approval.

Section 4: The Village Clerk is hereby authorized and directed to transmit three certified copies of the Ordinance, together with proof of compliance of notice procedures to the Clerk of the County Commission, accompanied by the attachments as required by Section 20-3 of the Code of Miami-Dade County, Florida.

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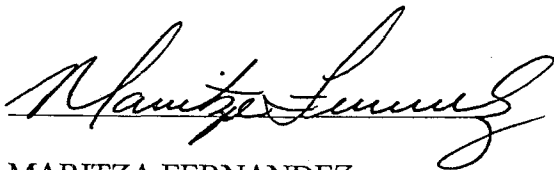
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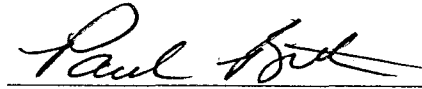
Section 7: Effective Date.

This Resolution shall take effect and be in force from and after its date of passage.

PASSED, and ADOPTED on this 8th day of August, 2003.



MARITZA FERNANDEZ
VILLAGE CLERK



PAUL BITHORN
MAYOR OF VIRGINIA GARDENS

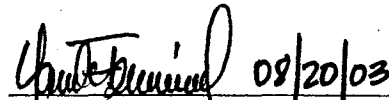


SPENCER DENO IV,
COUNCIL PRESIDENT

Vote of the Council:


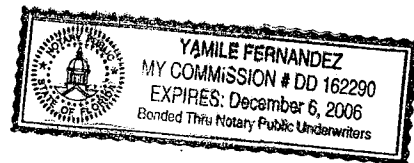
Councilman Deno	<u>YES</u>
Councilman Fojon	<u>YES</u>
Councilman Nelson	<u>YES</u>
Councilman Petterson	<u>YES</u>
Councilwoman Taylor-Martinez	<u>YES</u>

I Certify this to be a
true and correct copy.

 08/20/03

Yamile M. Fernandez
Notary Public

APPROVED AS TO FORM AND SUFFICIENCY:


Village Attorney, JOSE M. HERRERA, ESQ.

RESOLUTION NO. 734

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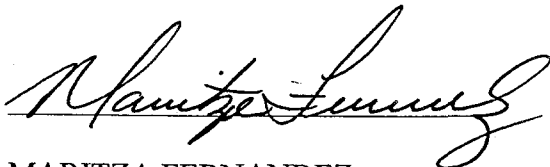
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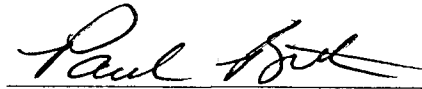
Section 7: Effective Date.

This Resolution shall take effect and be in force from and after its date of passage.

PASSED, and ADOPTED on this 8th day of August, 2003.



MARITZA FERNANDEZ
VILLAGE CLERK



PAUL BITHORN
MAYOR OF VIRGINIA GARDENS

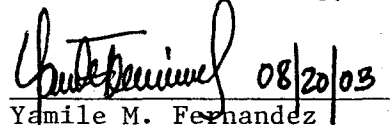


SPENCER DENO IV,
COUNCIL PRESIDENT

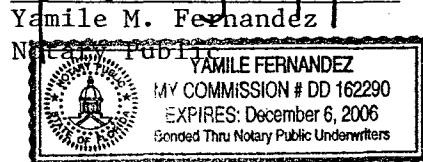
Vote of the Council:

Councilman Deno	<u>YES</u>
Councilman Fojon	<u>YES</u>
Councilman Nelson	<u>YES</u>
Councilman Petterson	<u>YES</u>
Councilwoman Taylor-Martinez	<u>YES</u>


I Certify this to be a
true and correct copy.



08/20/03



APPROVED AS TO FORM AND SUFFICIENCY:



Village Attorney, JOSE M. HERRERA, ESQ.

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared
O.V. FERBEYRE, who on oath says that he or she is the
SUPERVISOR, Legal Notices of the Miami Daily Business
Review f/k/a Miami Review, a daily (except Saturday, Sunday
and Legal Holidays) newspaper, published at Miami in Miami-Dade
County, Florida; that the attached copy of advertisement,
being a Legal Advertisement of Notice in the matter of

VILLAGE OF VIRGINIA GARDENS
PUBLIC HEARING 8/8/2003

(SEE ATTACHED)

in the XXXX Court,
was published in said newspaper in the issues of

07/29/2003

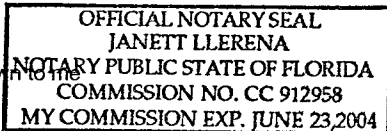
Affiant further says that the said Miami Daily Business
Review is a newspaper published at Miami in said Miami-Dade
County, Florida and that the said newspaper has
heretofore been continuously published in said Miami-Dade County,
Florida, each day (except Saturday, Sunday and Legal Holidays)
and has been entered as second class mail matter at the post
office in Miami in said Miami-Dade County, Florida, for a
period of one year next preceding the first publication of the
attached copy of advertisement; and affiant further says that he or
she has neither paid nor promised any person, firm or corporation
any discount, rebate, commission or refund for the purpose
of securing this advertisement for publication in the said
newspaper.

Sworn to and subscribed before me this

29 day of JULY, A.D. 2003

(SEAL)

O.V. FERBEYRE personally known to me





NOTICE OF PUBLIC HEARING VILLAGE OF VIRGINIA GARDENS

NOTICE IS HEREBY GIVEN that on August 8th, 2003, at 7:30 p.m., the Virginia Gardens Village Council of the Village of Virginia Gardens will hold a Public Hearing at 6601 N.W. 36 Street, Virginia Gardens, FL, pursuant to the Miami-Dade County Charter Section 5.04 and the Code of Miami-Dade County, Article I, Section 20-3, to consider annexation and enactment of a Resolution concerning the annexation of certain land as legally described according to the following legal description and map. All interested parties are urged to attend the meeting and be heard.

PROPOSED ANNEXATION AREA UNINCORPORATED MIAMI-DADE COUNTY, VIRGINIA GARDENS



LEGAL DESCRIPTION OF AREA TO BE ANNEXED

A portion of Miami-Dade County, Florida lying in Sections 22, 23, 26, 27, 34 and 35 all in Township 53 South, Range 40 East, as it is more particularly described to wit:

BEGIN at the Northeast corner of said Section 22, Township 53 South, Range 40 East; thence run West along the North line of said Section 22 (centerline of NW 58th Street) to the Northeast corner of the City of Doral; thence Southerly following the Eastern boundary of the City of Doral, along the Westerly limited access right-of-way line of State Road 826 (Palmetto Expressway) as shown on the Florida Department of Transportation Right-of-Way Map Section 8726-101 recorded in Plat Book 72 at Page 61 of the Public Records of Miami-Dade County, Florida, through said Sections 22, 27, and 34, to the intersection of said Eastern boundary of the City of Doral with the South line of said Section 34; thence Easterly along the South line of said Section 34 (centerline of NW 12th Street) to the Southeast corner of said Section 34; thence continue Easterly, along the South line of said Section 35, Township 53 South, Range 40 East (centerline of NW 12th Street) to the Southeast corner of the Southwest 1/4 of said Section 35; thence continue Easterly, along the South line of the Southeast 1/4 of said Section 35, to the point of intersection of said South line of the Southeast 1/4 of Section 35 with the West right-of-way line of the 275 foot wide Florida East Coast Railway (FEC) Miami Belt Line right-of-way, as shown on said FEC Railway's R/W and Track Map number V3b/12; thence North along said West right-of-way line of said 275 foot wide FEC Railway Miami Belt Line to a point on the Northerly right-of-way line of the CSX Railway (formerly Seaboard Coastline Railroad), said point also being on the Southerly right-of-way line of the realigned FEC Railway described in that certain County Deed recorded in Official Record Book 10935 at Page 871 of the Public Records of Miami-Dade County, Florida; thence Northwesterly to Westerly to Northerly to Easterly, following the Southernmost, Westernmost, and Northernmost right-of-way lines of said realigned FEC Railway as described in said County Deed, to the intersection of said Northernmost right-of-way line with the West line of the original (275 foot wide) FEC Miami Belt Line right-of-way, said West line of the Miami Belt Line right-of-way lying 1304 feet, more or less, East of the West line of the Northeast 1/4 of said Section 35; thence Northerly, along said West line of said Miami Belt Line right-of-way to a point on the South line of the Southeast 1/4 of said Section 26, Township 54 South, Range 40 East (centerline N.W. 25th Street), said point lying 1304 feet, more or less, East as measured from the West line of the Northeast 1/4 of the aforementioned Section 35; thence East along said South line of the Southeast 1/4 of said Section 26 (centerline of NW 25th Street), to the Southeast corner of said Section 26; Thence North along the East line of said Section 26 to the most Southwestern corner of Village of Virginia Gardens; thence continue North, following the Western boundary of the Village of Virginia Gardens along said East line of said Section 26, to the Northeast corner of said Section 26; thence West, following the municipal boundary of the City of Miami Springs, along the South line of said Section 23, Township 53 South Range 40 East (theoretical centerline NW 41 Street), to the point of intersection with the West line of the East 50 feet of said Section 23; thence North, following the Western boundary of the City of Miami Springs, along the West line of the East 50.00 feet of said Section 23, to the North line of said Section 23; thence West along said North line of said Section 23 (centerline of NW 58th Street) to the Northwest corner of said Section 23, being also the Northeast corner of said Section 22 and the POINT OF BEGINNING.

-AND-

All of NW 36 Street Extension according to the Right-of-Way Map thereof recorded in Plat Book 75 at Page 80 of the Public Records of Miami-Dade County Florida, in Section 25, Township 53 South, Range 40 East, not previously included within the municipal boundaries of the Village of Virginia Gardens.

Any and all interested parties are invited to attend this hearing and be heard. Anyone desiring to appeal any decision of the Village Council must arrange for a verbatim record of the proceedings, including testimony and evidence upon which any appeal may be issued (F.S. 286.0105).

A copy of the annexation Resolution and a copy of the legal description and map can be obtained from the Office of the Village Clerk. Due to the process of numbering ordinances consecutively, the number of the annexation ordinance will be assigned upon adoption.

IF ANY PERSON DECIDES TO APPEAL IN ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PUPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING A SPECIAL ACCOMMODATION TOPARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK FOR ASSISTANCE NO LATER THAN SEVEN (7) DAYS PRIOR TO THE PROCEEDING AT (305) 871-6104. IF HERING IMPARED, TELEPHONE THE FLORIDA RELAY SERVICES NUMBER (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE).

Maritza Fernandez
Village Clerk

VILLAGE OF VIRGINIA GARDENS
6498 NW 38 TERRACE
VIRGINIA GARDENS, FL 33166
(305) 871-6104

Honorable Harvey Ruvin
Clerk of the Miami-Dade County
Board of the County Commissioners
111 NW 1st Street, Suite 17-202
Miami, Florida 33130

CLERK OF THE BOARD
2014-21 PM 4:37
VIRGINIA GARDENS
6498 NW 38 TERRACE
VIRGINIA GARDENS, FL 33166



THE VILLAGE OF VIRGINIA GARDENS
ANNEXATION APPLICATION

AUGUST 2003

VILLAGE OF VIRGINIA GARDENS

APPLICATION FOR ANNEXATION

Submitted to Miami-Dade County
by the Village of Virginia Gardens

Mayor
Paul Bithorn

Council President
Fred "Spencer" Deno IV

Council
Julio A. Fojon
John W. Nelson, Jr.
Steven K. Petterson
Elizabeth Taylor-Martinez

Prepared By

Center for Design Planning: Professor Harold Malt, AICP
Police Chief: Roger D. Free

TABLE OF CONTENTS

Resolution No. 734	1, 2, 3
Executive Summary	4
Introduction	5
Legal Description and Location Map	6, 7, 8
Certificate from County Supervision of Registration	9
Grounds for Boundary Change	10
Land Use and Zoning	10
Miami-Dade Master Planning Map	11
Services to be Provided	12, 13, 14
Timetable for Supplying Services	15
Financing Provided Services	15
Tax Load on Area	16, 17, 18, 19, 20
Notice to Property Owners in Area	21
Notice to Property Owners within 600 Feet	22
Publication of Public Hearing	23
Certificate from Village Clerk	24
Resolution No. 138	25, 26, 27

RESOLUTION NO. 734

A RESOLUTION OF THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA INITIATING AND REQUESTING PROPOSED BOUNDARY CHANGES OF THE VILLAGE OF VIRGINIA GARDENS IN ORDER TO ANNEX PROPERTY BEARING THE LEGAL DESCRIPTION CONTAINED IN EXHIBIT "A"; AUTHORIZING THE MAYOR AND THE VILLAGE CLERK AND OTHER PROPER ASSISTANTS TO TAKE ANY AND ALL ACTIONS AS MAY BE NECESSARY TO SUBMIT A REQUEST FOR THE PROPOSED BOUNDARY CHANGES TO THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA; AND AUTHORIZING THE VILLAGE CLERK TO TRANSMIT COPIES OF THIS RESOLUTION TO THE CLERK OF THE COUNTY COMMISSION; REPEALING ALL RESOLUTIONS IN CONFLICT HERewith; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to section 5.04 of the Miami-Dade County Home Rule Charter and section 20-3 of the Code of Miami-Dade County, Florida, the Village of Virginia Gardens may initiate, by Resolution, a proposed boundary change where there are 250 or fewer registered electors within the proposed annexation area and where the area is less than 50% developed residential; and

WHEREAS, the Village of Virginia Gardens conducted duly noticed and advertised public hearings coinciding with the reading of this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, THAT:

Section 1: The Mayor and the Village Council of the Village of Virginia Gardens hereby approve the changes, extension and enlargement of the municipal boundaries of the Village of Virginia Gardens, Florida, and to effect such change, by the annexation to

RESOLUTION NO. 734

the Village of Virginia Gardens of property legally described in "A" and shown on an accompanying map Exhibit "B" attached hereto and made a part hereof.

Section 2: The Village Council of the Village of Virginia Gardens, Florida hereby requests that the Board of County Commissioners of Miami-Dade County, Florida adopt an ordinance changing, extending and enlarging the Village's municipal boundaries as approved by the Village and as described in the legal description set forth in Exhibit "A".

Section 3: The Mayor and the Village Clerk and all such other Village officials and officers are hereby authorized and directed to take all action and to execute such certificates, documents and agreements as may be deemed necessary or desirable in connection with the submission of the request for such boundary change to the Board of County Commissioners of Miami-Dade County, Florida, for approval.

Section 4: The Village Clerk is hereby authorized and directed to transmit three certified copies of the Ordinance, together with proof of compliance of notice procedures to the Clerk of the County Commission, accompanied by the attachments as required by Section 20-3 of the Code of Miami-Dade County, Florida.

Section 5: Repeal of Resolutions in Conflict.

All Resolutions or parts of Resolutions in conflict herewith are hereby repealed to the extent of such conflict.

20

RESOLUTION NO. 734

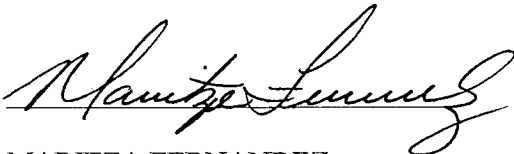
Section 6: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this Resolution shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Resolution.

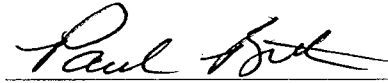
Section 7: Effective Date.

This Resolution shall take effect and be in force from and after its date of passage.

PASSED, and ADOPTED on this 8th day of August, 2003.



MARITZA FERNANDEZ
VILLAGE CLERK



PAUL BITHORN
MAYOR OF VIRGINIA GARDENS



SPENCER DENO IV,
COUNCIL PRESIDENT

Vote of the Council:

Councilman Deno	<u>YES</u>
Councilman Fojon	<u>YES</u>
Councilman Nelson	<u>YES</u>
Councilman Petterson	<u>YES</u>
Councilwoman Taylor-Martinez	<u>YES</u>

APPROVED AS TO FORM AND SUFFICIENCY:



Village Attorney, JOSE M. HERRERA, ESQ.

Executive Summary

The Village of Virginia Gardens is applying to annex two sections of one square mile each that abut one another, and part of a third contiguous section. This area located to the west of the Village is bounded on the north by NW 58th Street, the east by a canal and a railroad track, the south by NW 12th Street, and the west by the Palmetto Expressway. Land uses in that area are industrial, public facility and commercial. An additional annexation area bounds the Village to the south and contains all that R.O.W. of NW 36th Street between NW 57th Avenue to the east and the canal and NW 67th Avenue to the west. Land uses in this area are primarily commercial. NW 36th Street is characterized by strained traffic conditions and law enforcement.

Introduction

The landlocked Village of Virginia Gardens is built-out with minimal prospect for future economic growth and development. The predominant character of the Village is that of low-density, single-family residential land use. Virginia Gardens, incorporated in 1947 in Section 25 Township 53 Range 40, was confined to 189.0 acres when the County Aviation Department assumed jurisdiction of 451 acres of the section. That County action precluded southward expansion; the Village now looks westward.

Census 2000 defines the Village as containing long-term inhabitants. The population regard their community with a strong sense of pride. Therefore, the Village Mayor, Council and residents proceeded with the annexation process in a deliberate and conservative manner. The Village planning consultant prepared an Annexation Feasibility Study, dated 15 June 2001. The study's Zone A, comprising three sections, bounded to the north by NW 74th Street and south by NW 25th Street was reviewed and discussed at Council meetings; citizen input was sought; financial feasibility was considered. An outcome was the decision to delete the northernmost section bounded on the north by NW 74th Street as being too distant from the Village for the efficient provision of services; a portion of the section to the south was substituted. Those informed deliberations and actions formed the basis for the Village resolve to proceed and commit the necessary financial and personnel support to submit boundary changes and to properly service annexed areas if successful.

EXHIBIT "A"

Virginia Gardens Annexation

Legal Description

A portion of Miami-Dade County, Florida lying in Sections 22, 23, 26, 27, 34 and 35 all in Township 53 South, Range 40 East, as it is more particularly described to wit:

BEGIN at the Northeast corner of said Section 22, Township 53 South, Range 40 East; thence run West along the North line of said Section 22 (centerline of NW 58th Street) to the Northeast corner of the City of Doral; thence Southerly following the Eastern boundary of the City of Doral, along the Westerly limited access right-of-way line of State Road 826 (Palmetto Expressway) as shown on the Florida Department of Transportation Right-of-Way Map Section 8726-101 recorded in Plat Book 72 at Page 61 of the Public Records of Miami-Dade County, Florida, through said Sections 22, 27, and 34, to the intersection of said Eastern boundary of the City of Doral with the South line of said Section 34; thence Easterly along the South line of said Section 34 (centerline of NW 12 Street) to the Southeast corner of said Section 34; thence continue Easterly, along the South line of said Section 35, Township 53 South, Range 40 East (centerline of NW 12th Street) to the Southeast corner of the Southwest 1/4 of said Section 35; thence continue Easterly, along the South line of the Southeast 1/4 of said Section 35, to the point of intersection of said South line of the Southeast 1/4 of Section 35 with the West right-of-way line of the 275 foot wide Florida East Coast Railway (FEC) Miami Belt Line right-of-way, as shown on said FEC Railway's R/W and Track Map number V3b/12; thence North along said West right-of-way line of said 275 foot wide FEC Railway Miami Belt Line to a point on the Northerly right-of-way line of the CSX Railway (formerly Seaboard Coastline Railroad), said point also being on the Southerly right-of-way line of the realigned FEC Railway described in that certain County Deed recorded in Official Record Book 10935 at Page 871 of the Public Records of Miami-Dade County, Florida; thence Northwesterly to Westerly to Northerly to Easterly, following the Southernmost, Westernmost, and Northernmost right-of-way lines of said realigned FEC Railway as described in said County Deed, to the intersection of said Northernmost right-of-way line with the West line of the original (275 foot wide) FEC Miami Belt Line right-of-way, said West line of the Miami Belt Line right-of-way lying 1304 feet, more or less, East of the West line of the Northeast 1/4 of said Section 35; thence Northerly, along said West line of said Miami Belt Line right-of-way to a point on the South line of the Southeast 1/4 of said Section 26, Township 54 South, Range 40 East (centerline N.W. 25th Street), said point lying 1304 feet, more or less, East as measured from the West line of the Northeast 1/4 of the aforementioned Section 35; thence East along said South line of the Southeast 1/4 of said Section 26 (centerline of NW 25 Street), to the Southeast corner of said Section 26; Thence North along the East line of said Section 26 to the most Southwestern corner of Village of Virginia Gardens; thence continue North, following the Western boundary of the Village of Virginia Gardens along said East line of said Section 26, to the Northeast corner of said Section 26; thence West, following the municipal boundary of the City of Miami Springs, along the South line of said Section 23, Township 53 South Range 40 East (theoretical centerline NW 41 Street), to the point of intersection with the West line of the East 50 feet of said Section 23;

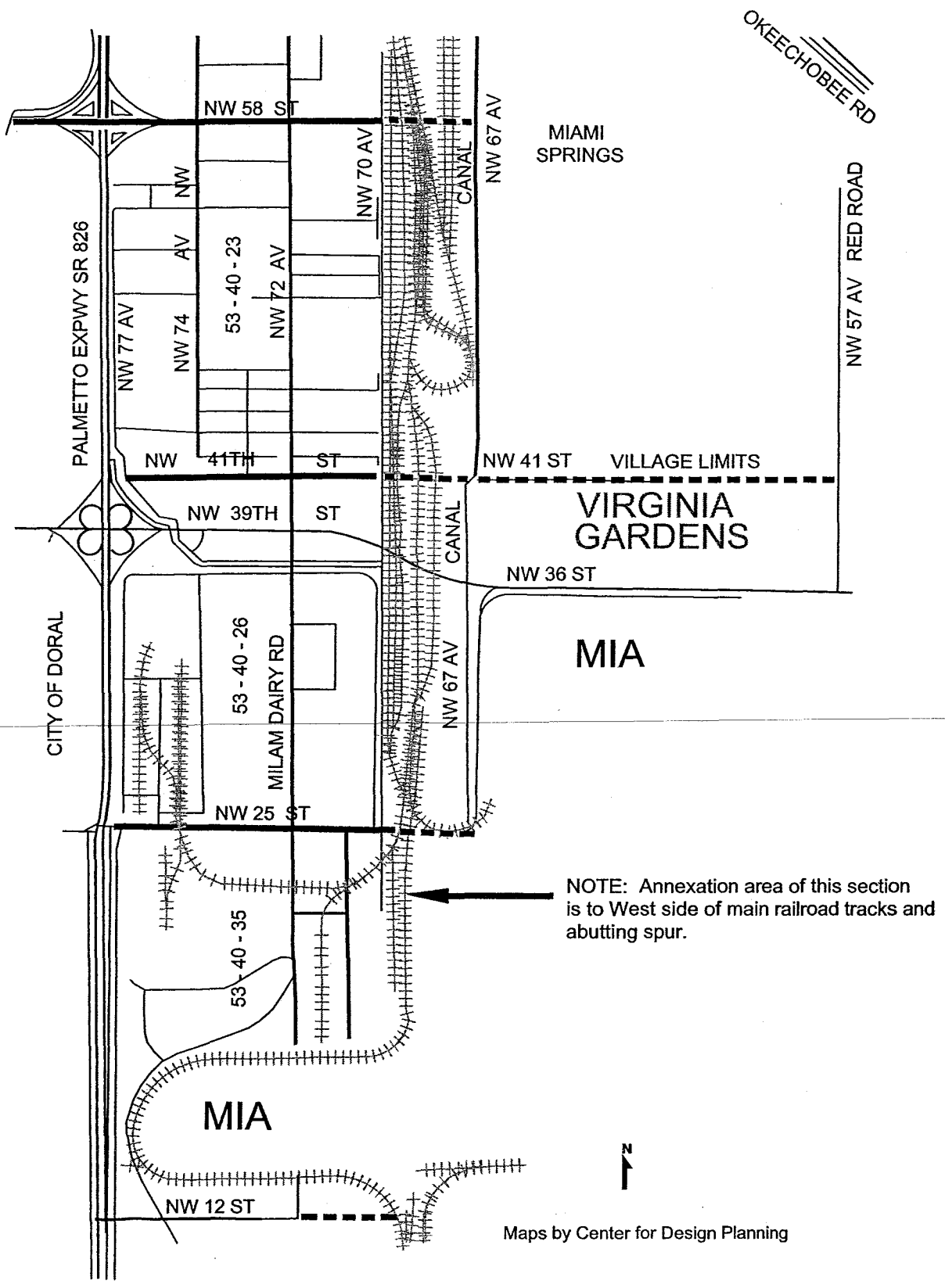
thence North, following the Western boundary of the City of Miami Springs, along the West line of the East 50.00 feet of said Section 23, to the North line of said Section 23; thence West along said North line of said Section 23 (centerline of NW 58th Street) to the Northwest corner of said Section 23, being also the Northeast corner of said Section 22 and the **POINT OF BEGINNING**;

-AND-

All of NW 36 Street Extension according to the Right-of-Way Map thereof recorded in Plat Book 75 at Page 80 of the Public Records of Miami-Dade County Florida, in Section 25, Township 53 South, Range 40 East, not previously included within the municipal boundaries of the Village of Virginia Gardens.

EXHIBIT "B"

PROPOSED ANNEXATION AREA UNINCORPORATED MIAMI-DADE COUNTY-VIRGINIA GARDENS





OFFICE OF THE SUPERVISOR OF ELECTIONS
SUITE 1910
111 NW 1ST STREET
MIAMI FLORIDA 33128-1962
(305) 375-5553

Mailing Address:
P.O. Box 012241
Miami, Florida 33101-2241

Certification

STATE OF FLORIDA)

COUNTY OF MIAMI-DADE)

I, Constance A. Kaplan, Supervisor of Elections of Miami-Dade County, Florida, pursuant to Section 20-4 of the Miami-Dade County Code, do hereby certify that there are less than two-hundred and fifty (250) residents who are qualified electors within annexation area of The Village of Virginia Gardens as shown on the attached map.

WITNESS MY HAND AND

OFFICIAL SEAL, AT MIAMI,

MIAMI-DADE COUNTY, FLORIDA,

ON THIS 16TH DAY OF JULY 2003.

A handwritten signature in cursive script that reads 'Constance A. Kaplan'.

Constance A. Kaplan
Supervisor of Elections
Miami-Dade County

CAK: mu

Grounds for Boundary Change

The Village of Virginia Gardens is without vacant land, built-out and without industrial employment opportunities or an improved tax base within its borders. It is entirely residential except for commercial strip development on the NW 36th Street corridor and along NW 57th Avenue (Red Road). The boundaries of the unincorporated County lands selected for annexation are based on geographic or physical features, namely: section lines, SR 826, canal and NW 67th Avenue, railroad track and the NW 36th Street R.O.W.

Property owners in the proposed annexation areas will benefit from proximity to Village meetings, elected officials, administrative personnel and the building and permitting process. This economy of effort and expediency is also in the best interests of both the County and the Village.

The present Village south border is the *north* side of the NW 36th Street right-of-way between 57th Avenue and 67th Avenue. Traffic accidents on NW 36th Street at its intersection with 57th Avenue (Red Road) may bring response from three police departments: County, Miami Springs and Virginia Gardens. Village officers frequently are first to respond at the scene. The Village is not compensated. The proposed annexation of the R.O.W. in its entirety would clarify jurisdiction and benefit the County. Also on NW 36th Street, speeding violations, not now under local control, would be reduced in the Village in the vicinity of the canal/FEC Bridge.

Extension of the Village westward to include the Palmetto Expressway and its NW 39th Street intersection (an extension of the NW 36th Street corridor) would provide improved access to the Village and serve as a gateway.

Land Use and Zoning

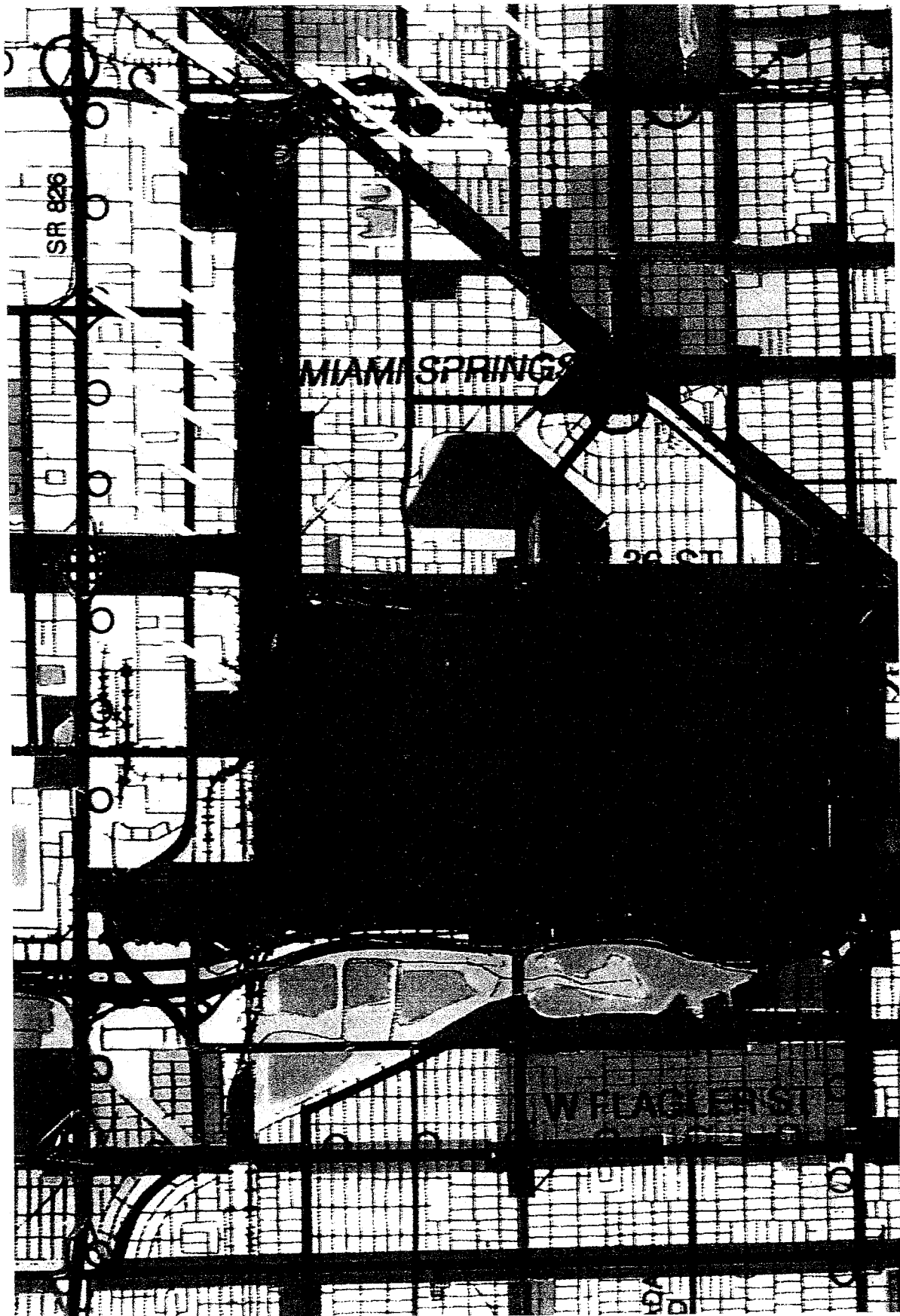
The Village of Virginia Gardens utilizes an existing land use map and a future land use map for planning and development purposes. The Village does not employ a separate zoning map. Site plans prepared in conformance with the Village Land Development Regulations (LDR) are reviewed by the planning consultant and the Village Council acting as the local LPA. The Village intends to continue the existing land uses in the annexed areas as defined in general by the County 2005-2015 Comprehensive Master Development Master Plan, the relevant portion of which is shown on the following page, and in specific by three large scale County maps titled:

2001 Land Use: 53-40-23

2001 Land Use: 53-40-26

2001 Land Use: 53-40-35

Similar land uses are shared in each of the three sections above: canal, major rail lines and light industrial/warehouse. Additional land uses are public facilities, commercial and, in section 53-40-35, airport land.



The Village Future Land Use Plan will be updated to include the light industrial use category. Maps will be updated and the Village LDR will be correspondingly revised and brought into conformance with the more innovative County Development Code.

Development opportunities in the annexation area will be guided by the following goals:

Goal: Beautify the canal as a buffer between industrial use and the Village residential community character.

Goal: Encourage development of Village shopping opportunities.

Goal: Create a small landscaped park in concert with a police and administrative sub-center.

Goal: Address and resolve road and drainage problems.

Services to be Provided

1. Police Protection

Police service will be provided to the Annexation area as soon as possible by the Virginia Gardens Police Department. When enlarging the Village police force, the goal and intent is to employ seasoned officers with excellent records. In addition, Virginia Gardens will seek approval of an interlocal agreement with the County Police Department whereby specialized services remain with County Police Central Headquarters and the Village assumes regional enforcement responsibility. Village police personnel have reviewed the area grids given by the County and studied Calls-for-Service Crime Data, Parts I and II, for Years 2000, 2001 and 2002. The following calls for service information is derived from data provided by the Miami-Dade Police Department.

Call Breakdown					
Year	Criteria	All Calls	Emergency	Priority	Routine
2000	Total Calls	16,437	293	231	15,913
	Avg. Resp. Min.	10:19	4:45	3:45	10:31
2001	Total Calls	17,234	279	208	16,747
	Avg. Resp. Min.	11:26	5:32	3:45	11:38
2002	Total Calls	16,319	279	202	15,838
	Avg. Resp. Min.	11:31	4:22	4:05	11:45
<i>Part I and II Crimes – Proposed Annexed Area</i>					
Year	Part I Crimes	Part II Crimes	Total		
2000	561	192	753		
2001	557	199	756		
2002	514	236	750		

Four (4) zones for the annexed area and certain police staffing levels are needed. Four (4) officers per shift are required. To cover days off, five (5) officers per position are necessary. This equates to five (5) officers times four (4) zones, which equals the twenty (20) positions shown in the table. There will be a need for one (1) supervisor per shift and one (1) relief supervisor. One (1) additional mid-level supervisor position will supervise the four (4) first line supervisors and will also cover the relief days for these supervisors.

The use of a cross-trained police service aide as opposed to a code enforcement officer will afford the position to be multifaceted. The position will be trained to a Level III Code Enforcement certification. This position may also assist with traffic crashes, parking enforcement, and any non-arrest type police service call.

2. Fire Protection/Emergency Medical

Fire protection and emergency medical will continue to be provided to the annexation area by Miami-Dade County Battalion 11 located at the Doral 45 station. Other stations that may respond to major incidents and that have special capabilities are: Virginia Gardens Station 17 and Miami Springs Station 35.

3. Water Supply and Distribution

The Miami-Dade County Water and Sewer Department currently services the annexation area and will continue to do so.

4. Facilities for the Collection and Treatment of Sewage

The Miami-Dade County Water and Sewer Department currently services the annexation area and will continue to do so.

5. Garbage and Refuse Collection and Disposal

The proposed area has been determined to contain only twelve (12) dwelling units. Waste removal costs may be paid by individual businesses that contract with licensed haulers, or they may opt to participate in the Village's existing contract with its favorable terms. Solid waste disposal costs generated will be borne by private garbage and trash haulers who pay bulk fees to regional disposal facilities.

6. Street Lighting

Florida Power and Light provides electricity to the annexation area. Electric service and street lighting will be funded by FPL through user fees and future development that occurs.

7. Street Construction and Maintenance

Sections 23, 26 and 35 in the annexation area are not well served by a gridiron of streets. New roadways and expansions of existing streets necessary to accommodate future development will be funded by the private development sector through private financing or by the Village using gas taxes and grants. In addition to serving the Village, the Public Works Director also performs consultant engineering services in the annexation area and is knowledgeable of existing conditions of roadways and drainage. The annexation areas will be subject to County and State roadway and storm water performance standards. Maintenance of streets will be funded by ad valorem taxes generated in the proposed areas.

1. Park and Recreation facilities and services

No new park and recreation facilities will be needed to serve the existing and future industrial land uses in the annexation areas. The existing canal bike path will be enhanced with landscaping.

2. Building Inspection/ Zoning Administration/ Local Planning Services

Virginia Gardens no longer utilizes a zoning code. The Virginia Gardens Comprehensive Plan defines Land uses; districts of land use are depicted by the FLUM. The Planning Consultant and the Village Council acting as the LPA process Land use changes and new development applications. Building plans, permits and inspections are reviewed or processed by the Building Consultant. If the annexation proposal is accepted by Miami-Dade County, a new department with the above listed functions and responsibilities will be created and staffed to accommodate a larger volume of activity and to provide efficient service to the property owners. The Land Development Regulations will be revised to include requirements for industrial land use and to more closely conform to the County Development Code.

3. General Government

A strong mayor and strong council system govern the Village of Virginia Gardens. The Mayor is the Village Chief Executive Officer and is responsible for the direction and supervision of all departments and employees of the Village. The five Village Council members approve the budget and vote on legislation.

The annexation area would become an integral part of the Village and area property owners would enjoy the same benefits, as do Village residents with direct and convenient access to local government and political leaders.

Timetable for Supplying Services

Police Protection	Phased In/Village
Fire Protection/Emergency Medical	Immediate/County
Water Supply and Distribution	Immediate/County
Facilities for the Collection/Treatment of Sewage	Immediate/County
Garbage and Refuse collection/ Dispersal	Immediate/Private
Street Lighting	As required/FPL
Street Construction and Maintenance	As Required/Village
Parks and Recreation	None
Inspection/Zoning Administration/Local Planning Service	Immediate/Village
General Government.	Immediate/Village

Financing of Services

1. **Police Protection.** Virginia Gardens expects to incur immediate and extensive capital, staff and operations cost of services if annexation is approved. At this time the Village has no outstanding debt. Preliminary discussions seeking a short-term bank loan have been satisfactory. The Village anticipates the ability to draw upon funds of sufficient magnitude to fulfill the financial obligations detailed in the next section. After the first year of operations and after the collection of ad valorem taxes, property values in the annexation area are expected to generate sufficient revenues to offset the area's additional police costs over the long term.
2. **Fire Protection/Emergency Medical.** Fire protection and emergency medical services will continue to be financed by Miami-Dade County.
3. **Water Supply and Distribution** services will be financed by Miami-Dade County with existing monthly water usage charges providing revenue for operation and maintenance of the systems. Developers and/or County will be responsible for future Capital costs associated with water main extensions and connections.
4. **Facilities for the Collection and Dispersal of Sewage** will be financed by Miami-Dade County with existing monthly sewer usage charges providing revenue for operation and maintenance of the systems. Developers and/or County will be responsible for future capital costs associated with sanitary sewer extensions and connections.
5. **Garbage and Refuse Collection and Dispersal** costs will be paid by individual businesses that contract with commercial haulers who pay bulk fees to regional disposal facilities.
6. **Florida Light and Power user fees will fund Street Lighting costs.**
7. **Street Construction and Maintenance** costs will be funded by ad valorem taxes for maintenance. Construction costs of new roadways may be funded by the State, County and Village, using gas taxes and grants. Extensions of existing streets may be funded by private developers.

8. **Parks and Recreation** construction or services are not anticipated.
9. **Inspection/Zoning Administration/Local Planning** services will be funded from property tax revenues with the exception that building permitting, inspections and plan amendments initiated by property owners will be paid for by fees.
10. **General Government** costs will be funded from ad valorem tax revenues.

Tax Load on Area to be Annexed

The Police Chief and the Public Works Director have provided their anticipated department financials that follow. The accompanying projected Schedule of Annual Revenues and Expenditures, is based on a set of assumptions about circumstances and events whose actual results may vary from the projections. All estimates are based on current charges and rates and are therefore presented in year 2002 dollars.

Based on the information received the following is the proposed cost of police personnel.

Proposed Staffing Level Costs for Annexed Area			
Position	Number	Base Pay	Total
Police Officers	20	34,354	\$687,080
Supervisors	4	49,673	\$198,692
Executive Supervisor	1	56,280	\$ 56,280
Police Service Aide	1	25,000	\$ 25,000
Sub Total			\$964,052

Equipment cost for the sworn positions and for one police service aide position is shown in the table below.

Total breakdown for Increased Positions	
Salaries	\$964,052
FICA, Medicare, etc (.0765)	73,750
Accruals for 1 year	133,485
Retirement	77,125
Uniforms	31,200
Equipment/gear	185,900
Health Insurance*	78,000
Overtime	72,000
Vehicles	480,000
GRAND TOTAL	\$2,095,512

*Health insurance is an estimate due to rate being based on age of individual

**VIRGINIA GARDENS
SUMMARY WORKSHEET OF THE PROJECTED ANNUAL REVENUES AND
EXPENDITURES FOR THE PROPOSED AREA TO BE ANNEXED**

DESCRIPTION	AMOUNT	WORK SHEET REFERENCE
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<u>REVENUES</u>		
AD VALOREM TAXES	3,341,997.00	SCH A-1
COMMUNICATIONS SERVICES TAX	130,934.00	SCH A-2
OCCUPATIONAL LICENSES	128,915.00	SCH A-3
TOTAL REVENUES	3,601,846.00	

<u>EXPENDITURES</u>		
COMPREHENSIVE PLANNING	31,795.00	SCH B-1
MAINTENANCE/ OTHER GOVERNMENTAL SERVICES	368,697.00	SCH B-2
LAW ENFORCEMENT-POLICE DEPARTMENT	2,095,512.00	SCH B-3
CODE ENFORCEMENT-PROTECTIVE INSPECTIONS	125,226.00	SCH B-4
PUBLIC WORKS-STREETS AND ROADS	563,205.00	SCH B-5
TOTAL EXPENDITURES	3,184,435.00	

EXCESS OF REVENUES OVER EXPENDITURES	417,411.00
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**VIRGINIA GARDENS
PROJECTED ANNUAL REVENUES WORKSHEET
SCHEDULES A-1 THROUGH A-3
FOR THE PROPOSED AREA TO BE ANNEXED**

SCHEDULE REFERENCE	DESCRIPTION	AMOUNT
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REAL PROPERTY TAXABLE VALUE RATIO

ANNEX AREA REAL PROPERTY TAX VALUE	726,386,782.00
VIRGINIA GARDENS REAL PROPERTY TAX VALUE	135,223,387.00
ALLOCATION RATIO	5.3718

AD VALOREM TAX REVENUE

TAXABLE VALUE	726,386,782.00
VIRGINIA GARDENS MILLAGE RATE PER \$ 1,000.00	4.843
MILLAGE RATE	0.004843
AD VALOREM TAXES	3,517,891.19
COLLECTION PERCENT	0.95

A-1	PROJECTED ANNUAL AD VALOREM TAX REVENUE FOR THE ANNEXED AREA	3,341,996.63
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COMMUNICATIONS SERVICES TAX

VIRGINIA GARDENS COMMUNICATIONS SERVICES TAX REVENUE FOR THE YEAR ENDED 9/30/02	116,171.97
NUMBER OF PORTFOLIOS-AD VALOREM TAX UNITS	661.00
REVENUE PER UNIT	175.75
ANNEXATION AREA NUMBER OF PORTFOLIOS-AD VALOREM TAX UNITS	745.00

A-2	PROJECTED ANNUAL COMMUNICATIONS SERVICES TAX REVENUES FOR THE ANNEXED AREA	130,933.75
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OCCUPATIONAL LICENSES REVENUE

YEAR ENDED 9/30/02	60,564.64
NUMBER OF OCCUPATIONAL LICENSES	350.00
AVERAGE CHARGE PER LICENSE	173.04
ANNEXATION AREA NUMBER OF AD VALOREM TAX UNITS	745.00

A-3	PROJECTED ANNUAL OCCUPATIONAL LICENSES REVENUE FOR THE ANNEXED AREA	128,914.80
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**VIRGINIA GARDENS
PROJECTED ANNUAL EXPENDITURES WORKSHEET-SCHEDULE B
FOR THE PROPOSED AREA TO BE ANNEXED**

SCHEDULE REFERENCE	DESCRIPTION	AMOUNT
REAL PROPERTY TAXABLE VALUE RATIO		
	ANNEXATION AREA REAL PROPERTY TAX VALUE	726,386,782.00
	VIRGINIA GARDENS REAL PROPERTY TAX VALUE	135,223,387.00
	ALLOCATION RATIO	5.3718
COMPREHENSIVE PLANNING		
	VIRGINIA GARDENS COMPREHENSIVE PLANNING FOR THE YEAR ENDED 9/30/02	5,918.80
	ALLOCATION RATIO	5.3718
B-1	PROJECTED COMPREHENSIVE PLANNING EXPENDITURES FOR THE ANNEXED AREA	31,794.61
MAINTENANCE AND OTHER GOVERNMENTAL SERVICES		
	VIRGINIA GARDENS OTHER GOVERNMENTAL SERVICES EXPENDITURES FOR THE YEAR ENDED 9/30/02	113,002.36
	DEDUCT MAINTENANCE EXPENSE	(44,366.71)
	ADJUSTED BALANCE	68,635.65
	ALLOCATION RATIO	5.3718
B-2	PROJECTED MAINTENANCE AND OTHER GOVERNMENTAL SERVICES EXPENDITURES FOR THE ANNEXED AREA	368,696.99
LAW ENFORCEMENT-POLICE DEPARTMENT		
	SALARIES AND RELATED BENEFITS	1,320,412.00
	OPERATING EXPENSES	775,100.00
B-3	PROJECTED LAW ENFORCEMENT-POLICE DEPARTMENT EXPENDITURES FOR THE ANNEXED AREA	2,095,512.00
CODE ENFORCEMENT-PROTECTIVE INSPECTIONS		
	VIRGINIA GARDENS PROTECTIVE INSPECTIONS FOR THE YEAR ENDED 9/30/02	42,564.22
	DEDUCT OTHER CONTRACTUAL SERVICES- EXTRAORDINARY ITEM	(19,252.50)
	ADJUSTED BALANCE	23,311.72
	ALLOCATION RATIO	5.3718
B-4	PROJECTED CODE ENFORCEMENT-PROTECTIVE INSPECTIONS EXPENDITURES FOR THE ANNEXED AREA	125,225.90

**VIRGINIA GARDENS
PROJECTED ANNUAL EXPENDITURES WORKSHEET-SCHEDULE B
FOR THE PROPOSED AREA TO BE ANNEXED**

SCHEDULE REFERENCE	DESCRIPTION	AMOUNT
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PUBLIC WORKS-STREETS AND ROADS

SALARIES AND RELATED BENEFITS:

ASSISTANT DIRECTOR (1)	48,000.00
CREW LEADER (1)	36,000.00
MAINTENANCE WORKERS (3)	90,000.00

TOTAL SALARIES AND RELATED BENEFITS

174,000.00

EQUIPMENT OPERATION COST

23,500.00

WAREHOUSE/YARD LEASE COST

60,000.00

MATERIAL AND SUPPLIES

145,705.00

CAPITAL EXPENDITURES:

BUCKET TRUCK	90,000.00
UTILITY TRUCK	70,000.00

TOTAL CAPITAL EXPENDITURES

160,000.00

B-5	PROJECTED PUBLIC WORKS-STREETS AND ROADS EXPENDITURES FOR THE ANNEXED AREA	563,205.00
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DRAFT

VILLAGE OF VIRGINIA GARDENS

6498 N.W. 38th TERRACE • VIRGINIA GARDENS, FLORIDA 33166

TELEPHONE: (305) 871-6104

FAX: (305) 871-1120

PUBLIC NOTICE VILLAGE OF VIRGINIA GARDENS

NOTICE IS HEREBY GIVEN that on _____, the Virginia Gardens Village Council of the Village of Virginia Gardens will hold a Public Hearing in the Council Chambers of Virginia Gardens Village Hall pursuant to the Metro Dade Article I, Section 20 – 3, to consider the boundary change of the Village of Virginia Gardens and the annexation and enactment of a Resolution concerning the annexation of certain lands as legally described below and per the attached map.

Your property is **WITHIN** the proposed boundary change. The notice is for information purposes only. Interested parties are encouraged to attend the meeting to express their views.

You are hereby advised that any person desiring to appeal any decision made with respect to any matter considered at this meeting, will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Maritza Fernandez
Village Clerk

LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTIONS 23, 26, 35 IN TOWNSHIP ...



DRAFT

VILLAGE OF VIRGINIA GARDENS

6498 N.W. 38th TERRACE • VIRGINIA GARDENS, FLORIDA 33166

TELEPHONE: (305) 871-6104

FAX: (305) 871-1120

PUBLIC NOTICE VILLAGE OF VIRGINIA GARDENS

NOTICE IS HEREBY GIVEN that on _____, the Virginia Gardens Village Council of the Village of Virginia Gardens will hold a Public Hearing in the Council Chambers of Virginia Gardens Village Hall pursuant to the Metro Dade Article I, Section 20 – 3, to consider the boundary change of the Village of Virginia Gardens and the annexation and enactment of a Resolution concerning the annexation of certain lands as legally described below and per the attached map.

Your property is **NOT WITHIN** the proposed boundary change, however, it is within a 600 foot radius of the affected property. The notice is for information purposes only. Interested parties are encouraged to attend the meeting to express their views.

You are hereby advised that any person desiring to appeal any decision made with respect to any matter considered at this meeting, will need a record of the proceedings, and it will be their responsibility to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Maritza Fernandez
Village Clerk

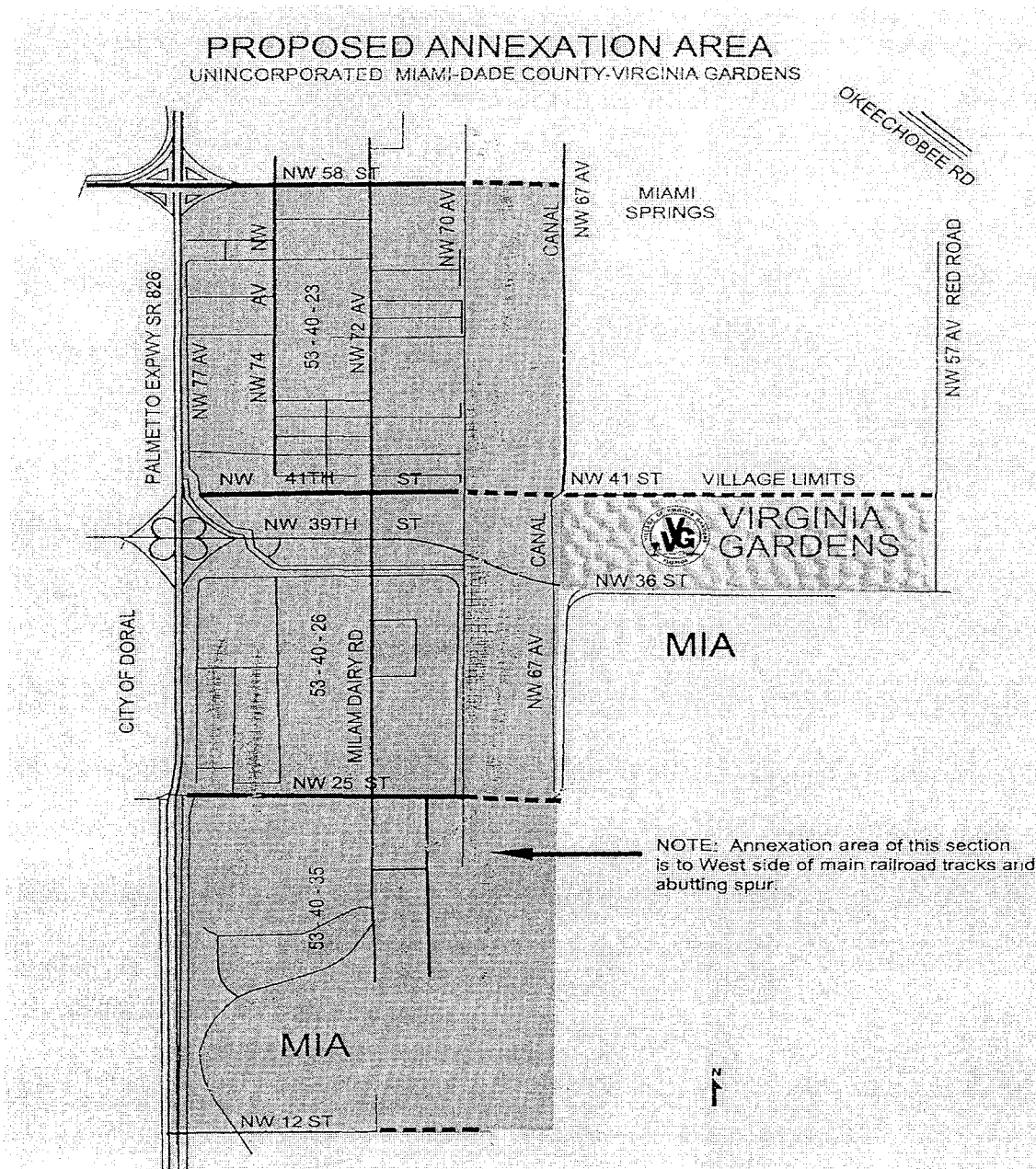
LEGAL DESCRIPTION:

THOSE PORTIONS OF SECTIONS 23, 26, 35 IN TOWNSHIP . . .



NOTICE OF PUBLIC HEARING VILLAGE OF VIRGINIA GARDENS

NOTICE IS HEREBY GIVEN that on August 8th, 2003, at 7:30 p.m., the Virginia Gardens Village Council of the Village of Virginia Gardens will hold a Public Hearing at 6601 N.W. 36 Street, Virginia Gardens, FL., pursuant to the Miami-Dade County Charter Section 5.04 and the Code of Miami-Dade County, Article 1, Section 20-3, to consider annexation and enactment of a Resolution concerning the annexation of certain land as legally described according to the following legal description and map. All interested parties are urged to attend the meeting and be heard.



LEGAL DESCRIPTION OF AREA TO BE ANNEXED

A portion of Miami-Dade County, Florida lying in Sections 22, 23, 26, 27, 34 and 35 all in Township 53 South, Range 40 East, as it is more particularly described to wit:

BEGIN at the Northeast corner of said Section 22, Township 53 South, Range 40 East; thence run West along the North line of said Section 22 (centerline of NW 58th Street) to the Northeast corner of the City of Doral; thence Southerly following the Eastern boundary of the City of Doral, along the Westerly limited access right-of-way line of State Road 826 (Palmetto Expressway) as shown on the Florida Department of Transportation Right-of-Way Map Section 8726-101 recorded in Plat Book 72 at Page 61 of the Public Records of Miami-Dade County, Florida, through said Sections 22, 27, and 34, to the intersection of said Eastern boundary of the City of Doral with the South line of said Section 34; thence Easterly along the South line of said Section 34 (centerline of NW 12 Street) to the Southeast corner of said Section 34; thence continue Easterly, along the South line of said Section 35, Township 53 South, Range 40 East (centerline of NW 12th Street) to the Southeast corner of the Southwest 1/4 of said Section 35; thence continue Easterly, along the South line of the Southeast 1/4 of said Section 35, to the point of intersection of said South line of the Southeast 1/4 of Section 35 with the West right-of-way line of the 275 foot wide Florida East Coast Railway (FEC) Miami Belt Line right-of-way, as shown on said FEC Railway's R/W and Track Map number V3b/12; thence North along said West right-of-way line of said 275 foot wide FEC Railway Miami Belt Line to a point on the Northerly right-of-way line of the CSX Railway (formerly Seaboard Coastline Railroad), said point also being on the Southerly right-of-way line of the realigned FEC Railway described in that certain County Deed recorded in Official Record Book 10935 at Page 871 of the Public Records of Miami-Dade County, Florida; thence Northwesterly to Westerly to Northerly to Easterly, following the Southernmost, Westernmost, and Northernmost right-of-way lines of said realigned FEC Railway as described in said County Deed, to the intersection of said Northernmost right-of-way line with the West line of the original (275 foot wide) FEC Miami Belt Line right-of-way, said West line of the Miami Belt Line right-of-way lying 1304 feet, more or less, East of the West line of the Northeast 1/4 of said Section 35; thence Northerly, along said West line of said Miami Belt Line right-of-way to a point on the South line of the Southeast 1/4 of said Section 26, Township 54 South, Range 40 East (centerline N.W. 25th Street), said point lying 1304 feet, more or less, East as measured from the West line of the Northeast 1/4 of the aforementioned Section 35; thence East along said South line of the Southeast 1/4 of said Section 26 (centerline of NW 25 Street), to the Southeast corner of said Section 26; Thence North along the East line of said Section 26 to the most Southwestern corner of Village of Virginia Gardens; thence continue North, following the Western boundary of the Village of Virginia Gardens along said East line of said Section 26, to the Northeast corner of said Section 26; thence West, following the municipal boundary of the City of Miami Springs, along the South line of said Section 23, Township 53 South Range 40 East (theoretical centerline NW 41 Street), to the point of intersection with the West line of the East 50 feet of said Section 23; thence North, following the Western boundary of the City of Miami Springs, along the West line of the East 50.00 feet of said Section 23, to the North line of said Section 23; thence West along said North line of said Section 23 (centerline of NW 58th Street) to the Northwest corner of said Section 23, being also the Northeast corner of said Section 22 and the **POINT OF BEGINNING**;

-AND-

All of NW 36 Street Extension according to the Right-of-Way Map thereof recorded in Plat Book 75 at Page 80 of the Public Records of Miami-Dade County Florida, in Section 25, Township 53 South, Range 40 East, not previously included within the municipal boundaries of the Village of Virginia Gardens.

Any and all interested parties are invited to attend this hearing and be heard. Anyone desiring to appeal any decision of the Village Council must arrange for a verbatim record of the proceedings, including testimony and evidence upon which any appeal may be issued (F.S. 286.0105).

A copy of the annexation Resolution and a copy of the legal description and map can be obtained from the Office of the Village Clerk. Due to the process of numbering ordinances consecutively, the number of the annexation ordinance will be assigned upon adoption.

IF ANY PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT THE MEETING, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, PERSONS NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK FOR ASSISTANCE NO LATER THAN SEVEN (7) DAYS PRIOR TO THE PROCEEDING AT (305) 871-6104; IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICES NUMBER (800) 955-8771 (TDD) OR (800) 955-8770 (VOICE).

Maritza Fernandez
Village Clerk

RESOLUTION NO. 138

A RESOLUTION REQUESTING THE BOARD OF COUNTY COMMISSIONERS OF DADE COUNTY TO CHANGE THE BOUNDARIES OF THE VILLAGE OF VIRGINIA GARDENS TO INCLUDE WITHIN THE BOUNDARIES, CERTAIN PROPERTY LOCATED WEST OF THE VILLAGE OF VIRGINIA GARDENS, FLORIDA, ACCORDING TO THE DESCRIPTION ATTACHED HERETO.

WHEREAS, the Village of Virginia Gardens is a duly incorporated municipality of the State of Florida, and;

WHEREAS, A Charter was granted by the Legislature of the State of Florida by special Act No. 29576 of the laws of Florida 1953, and;

WHEREAS, subsequently to the creation of said municipality, the Dade County Port Authority condemned and took away from the Village of Virginia Gardens approximately 450 acres for airport purposes and whereby it was understood at that time that in the event the airport was discontinued, said 450 acres would be returned to the Village of Virginia Gardens, and;

WHEREAS, the plans have been completed for the extension of 36th Street West to the By-pass, and;

WHEREAS, the Village of Virginia Gardens is capable of rendering efficient municipal services to the property hereinafter described at no appreciable tax increase to the owners of said property, and;

WHEREAS, the Village of Virginia Gardens is agreeable to the zoning of said property as recommended by the Planning and Advisory Board of Dade County for the further development thereof, and;

WHEREAS, it is understood that there are less than 250 resident electors within the boundaries herein proposed to be annexed.

NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE COUNCIL OF THE VILLAGE OF VIRGINIA GARDENS;

Section I: That the Board of County Commissioners of Dade County, Florida, adopt an ordinance effecting the boundaries of the Village of Virginia Gardens by enlarging the said boundaries of Virginia Gardens to annex and include the property adjacent to the West of the present boundaries of the Village of Virginia Gardens as legally described by the Exhibit which is attached hereto and made a part hereof as though set out verbatim in this Resolution, as well as the sketch of said property which is also attached hereto and made a part hereof.

PASSED AND ADOPTED this 26th day of April, A. D., 1962.

W. E. Hardy
President

ATTEST:

Edward W. Morat
Clerk

APPROVED:

Harry Hab...
Mayor